

REMARKS

Claims 1-3, 7, 13 and 19-36 are pending in this application after this amendment. Claims 4-6, 8-12 and 14-18 have been canceled without prejudice or disclaimer to the subject matter included therein. In light of the remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 2-6 and 13-18 under 35 U.S.C. §112, second paragraph. The Examiner further rejected claims 1, 7-8 and 10 under 35 U.S.C. §103(a) as being unpatentable over *Snyder et al.* (USP 6,195,474); rejected claims 9 and 11-12 under 35 U.S.C. §103(a) as being unpatentable over *Snyder et al.* in view of *Malloy* (USP 6,078,349); and rejected claims 2-4, 6, 13, 14 and 16 as being unpatentable over *Ueda et al.* (USP 5,953,459) in view of *Snyder et al.* Applicants respectfully traverse these rejections.

Preliminary Comments

In Applicants' reply filed December 20, 2006, Applicants added new claims 19-36 for consideration by the Examiner. However, although the Examiner indicates that Applicants' Reply was properly entered, the Examiner has failed to consider any of the newly added claims on the merits.

Applicants respectfully request the Examiner properly withdraw the finality of the outstanding Official Action and properly consider Applicants' new claims 19-36 as currently pending.

Claim Rejections – 35 U.S.C. §112, second paragraph

The Examiner rejected claims 2-6 and 13-18 asserting the term "the range of output values mapped ... function is less than an entire range of possible output values," is not enabled in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

The Examiner's attention is respectfully directed to curve g_v as shown in Fig. 9 which clearly shows a range of output values mapped to a range of image information of the at least a part of the reproduced image is less than an entire range of possible output values.

Applicants respectfully submit that the subject matter included in the claims is described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. As such, it is respectfully requested that the outstanding rejection be withdrawn.

Prior Art Rejections

In their previous Reply, Applicants argued that *Snyder et al.* fails to teach or suggest the newly added claim element “wherein a range of image information of the at least a part of the reproduced image mapped for reproducing is widened compared to a range of image information of a rest of the reproduced image mapped for reproducing when the function for automatically changing the dynamic range of the at least a part of the reproduced image is executed,” as recited in, for example, claim 1. Specifically, Applicants presented arguments that, as disclosed in Figs. 14a and 14b, the range of input values actually mapped to output values is narrowed. Applicants argued that based on these teachings, *Snyder et al.* taught away from the claim element and from the purported combination of the teachings of the cited references. This argument was presented with respect to at least claims 1 and 7. The Examiner’s attention is respectfully directed to their previously filed reply and their argument included therein.

In response to this argument, the Examiner merely states “Examiner disagrees and would like to point the attention of the applicant to the rejection of claims 1 and 7 above.”

Applicants respectfully submit that the Examiner’s comments in response to Applicants’ Reply fail to address their argument that *Snyder et al.* teaches away from the purported modification based on *Snyder et al.*’s disclosure in Fig. 14a and 14b.

Applicant respectfully requests the Examiner properly consider and respond to Applicants’ argument that the disclosure of *Snyder et al.* teach away from the Examiner’s purported modification.

Applicants maintain that because *Snyder et al.* teaches away from the purported modification, there is no motivation or rationale to combine the teachings of the cited references as suggested by the Examiner. As such, the Examiner has failed to establish *prima facie* obviousness. It is respectfully requested that the outstanding rejection be withdrawn.

As the Examiner asserts a similar modification for claims 2-3 and 13, Applicants maintain that because *Snyder et al.* teaches away from the purported modification, there is no motivation or rationale to combine the teachings of the cited references as suggested by the Examiner. As such, the Examiner has failed to establish *prima facie* obviousness. It is respectfully requested that the outstanding rejection be withdrawn.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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By

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